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December 12, 2018

The Honorable Ajit Pai, Chairman
The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner

Chairman
Federal Communications Commission
455 12th Street, Southwest
Washington, DC, 20544

Dear Chairman Pai:

We write to support the Comments of Massachusetts Community Media, Inc. (MassAccess) and to disapprove of the proposals and tentative conclusions set forth in the FCC's September 25 Further Notice of Proposed Rule Making in *Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992*, MB Docket 05- 311.

We support comments made by MassAccess, especially the following:

- The FCC lacks authority to impair private franchise contracts
- Section 622 of the Cable Act defines "Franchise Fees" and the FCC has no right to redefine
- Any attempt to redefine "Franchise Fees" weakens the authority of local municipalities
- The rulemaking invents "Cable-Related In-kind Contributions and "Fair Market Valuation" where there is no precedent
- Section 622 of the Cable Act states that "[a]ny Federal agency may not regulate the amount of the franchise fees paid by a cable operator."

PEG funding provides the support which enables PACTV to manage 6 cable channels in the towns of Plymouth, Kingston, Duxbury and Pembroke, and serve approximately 107,750 residents with 38,318 cable households (according to the Commonwealth of Massachusetts in 2017.)

PACTV provides services that residents cannot get anywhere else. We connect people to their communities and each other. We provide public, education and government access to our towns. Plymouth and Duxbury manage their own educational programs.

Residents create their own television shows including church services, talk shows, shows featuring artists, local theater, cooking shows, travel, seniors, local businesses, town events, sports programs, music and so much more. Shows are also created by organizations such as the Arc of Greater Plymouth, helping them achieve their mission of empowering and supporting people with disabilities and their families to belong, contribute and thrive. PACTV's public access channel is a first amendment forum and displays community notices in between programming 24/7 educating people about what is happening in their local communities.

PACTV produces a news show featuring the good news of our four towns. Stories include local nonprofit organizations, town information from construction projects to town events, profiles of community members, health information and more. Residents say that by watching PACTV Community News they feel closer to each other and their communities. PACTV provides free promotion to nonprofit organizations, community organizations and town departments in the form of public services announcements (PSAs). These are held 4-5 times a year and help organizations promote their services, events and find volunteers through the PSAs.

In addition, PACTV provides event coverage of two Memorial Day parades, two Independence Day parades and America's Hometown Thanksgiving Parade in Plymouth. PACTV also hosts the Plymouth Rotary Club's annual live television auction, helping the Rotary raise money that is given to nonprofit organizations and scholarships to local students. To date, PACTV has helped the Rotary raise over One Million Dollars in this effort.

PACTV provides video production training throughout the year and an award-winning summer documentary program that is offered to middle-school aged children. Students in Kingston and Pembroke take part in after school programs managed by our dedicated staff. We provide support to independent study students, train students to record events in their schools and help students tell their own stories about themselves and their schools. Our staff also records events taking place in our schools from STEM (science, technology, engineering and math) week programs, a thank you video to veterans shown on Veterans Day, sporting events such as the high school Thanksgiving football game, school concerts from elementary school to high schools, creative writing videos, coverage of school events and public service announcements for school fundraisers and events. Our staff help augment learning through video, engaging students.

PACTV manages robust government access services including eleven informational programs: "Breaking the Cycle" about opioid addiction, "Delicious and Nutritious" providing healthy recipes to seniors, "Pembroke Today" with the town administrator, "Register's Report" featuring the Plymouth County Register of Deeds, "Primetime at the Duxbury Senior Center", "Safe Communities" with the Plymouth County Sheriff, "Scales of Justice" with the Plymouth County District Attorney, "State Matters" with State Representative Matt Muratore, "Healthy Kingston", "Good Day Kingston" with a member of the Kingston Board of Selectmen, and "Nook News" featuring the Plymouth Council on Aging. These programs provide information to residents and are hosted by local, state and county elected officials. PACTV offers candidate services to candidates running for local offices, county and state offices in the form of candidate

forums and candidate statements that are recorded in our studios, helping residents make informed decisions when they vote. PACTV provides meeting coverage in our four towns, covering over 350 government meetings each year. This service keeps local government transparent and importantly, gives residents who cannot attend meetings in their local town halls the opportunity to find out what is happening in their town.

In this day and age of sparring between sides- issues, parties, platforms- there remains a neutral voice and that is PEG. By design, we are neither tied to any political party nor religious ideology. By design, we are non-commercial and thus not beholden to business or corporate influence, but to the citizens that we serve. By design we keep our communities connected in the one safe place where all voices are respected and treated equally.

We are not afraid of change and embrace all the possibilities that it brings. We ask you to reconsider the timing of this Rule change so that Access Centers everywhere can work with our municipalities and schools, local businesses and organizations, to come up with a viable plan to continue our work, within the ever-changing continuum of technological advancement.

Community media stations allow the residents of Plymouth and surrounding towns to watch and create uniquely local programming about their community and local events and issues of interest to them. Such was the intent of the PEG provisions of the 1984 Cable Act – to enhance local voices, serve local community needs and interests, and strengthen our local democracy. By defining “franchise fee” in an overly broad fashion to include “in-kind” support, the FCC’s proposals will shift the fair balance between cable franchising authorities and cable operators and will force communities to choose between franchise fees and PEG channels, – something that was never the intent of the Act.

We appreciate your consideration and hope you will protect PEG channels in our community and others by choosing not to adopt many of the proposals in the Further Notice and heed the cautions outlined in the Comments of Massachusetts Community Media, Inc. (Mass Access).

Sincerely,



Julie Thompson, Executive Director
Plymouth Area Community Access Television, Inc.
4 Collins Avenue
Plymouth, MA 02360

We Inform and Empower our Communities to Connect and Engage through Media.